

**LABOR SERVICES DIVISION[875]**

**Adopted and Filed**

**Rule making related to federal occupational safety and health standards**

The Labor Commissioner hereby amends Chapter 4, “Recording and Reporting Occupational Injuries and Illnesses,” Chapter 10, “General Industry Safety and Health Rules,” and Chapter 26, “Construction Safety and Health Rules,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 88.5.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapter 88.

*Purpose and Summary*

The Labor Commissioner is required to adopt by reference federal occupational safety and health standards. These amendments adopt by reference minor corrections to the construction and general industry standards and to the recording and reporting rules.

The standard changes relate to nationally recognized testing laboratories; the definition of “hazardous atmosphere” in the context of general industry electrical power generation, transmission, and distribution; lead and cadmium in general industry; asbestos, cadmium, and lead in construction; hazardous waste operations and emergency response in construction; construction personnel hoists; construction excavations; steel erection in construction; and the use of cranes and derricks to hoist construction personnel.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on March 25, 2020, as **ARC 4996C**. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Commissioner on July 29, 2020.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commissioner for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 5.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or

group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on September 30, 2020.

The following rule-making actions are adopted:

ITEM 1. Adopt the following new paragraph **4.3(1)“j”**:

*j.* 85 Fed. Reg. 8731 (February 18, 2020)

ITEM 2. Amend rule **875—10.20(88)** by inserting the following at the end thereof:  
85 Fed. Reg. 8731 (February 18, 2020)

ITEM 3. Amend rule **875—26.1(88)** by inserting the following at the end thereof:  
85 Fed. Reg. 8735 (February 18, 2020)

[Filed 7/29/20, effective 9/30/20]

[Published 8/26/20]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/26/20.